REMARKS

In view of both the amendments presented above and the following discussion, the Applicants submit that none of the claims now pending in the application is obvious under the provisions of 35 USC § 103. Thus, the Applicants believe that all of these claims are now in allowable form.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, the Examiner should telephone Mr. Peter L. Michaelson, Esq. at (732) 530-6671 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Specification and abstract amendments

Various amendments have been made to the specification and abstract to correct minor inadvertent grammatical and formal errors.

Status of claims

Claims 1-13 have now been canceled and replaced by new claims 14-26. Each of the new claims corresponds, on a 1:1 basis, with a corresponding one of the prior claims. Specifically, claim 14 corresponds to claim 1, claim 15 corresponds to claim 2 and so forth. The new claims more precisely define the present invention than did the prior claims, and also conform to proper US claim practice.

Objections

The Examiner has objected to claim 1 due to its recitation "a by the classification". This recitation does not appear in corresponding claim 14.

Further, the Examiner objected to claims 7-13 as being in improper multiple dependent form. The Applicants have previously amended these claims, through their preliminary amendment filed with the application, to remove all multiple dependent claims by changing the dependency therein to refer to just the first dependent claim specified in each multiple dependent claim (e.g. from, as recited in claim 2, "any of the claims 1-2" to just "claim 1"). In a telephone discussion with the Applicants' attorney on August 23, 2005, the Examiner noted that while the US PTO file for the present application contained the preliminary amendment, however, for reasons unknown, that amendment was not considered. In any event, the corrections to the multiple dependent claims presented by that preliminary amendment have now been incorporated into new claims 14-26.

Consequently, these objections should now be withdrawn.

Rejections under 35 USC § 103

A. Claim 1 (and 2)

The Examiner has rejected claim 1 under the provisions of 35 USC § 103 as being obvious over the teachings in the Anderson application (United States

published patent application 2002/0091572 published July 11, 2002) taken in view of the Hannu patent (United States patent 6,665,387 issued on December 16, 2003 to K. Hannu) or the Nelson patent (United States patent 6,529,593 issued on March 4, 2003 to R. Nelson). Though this rejection only mentions claim 1, the Examiner, in response to an inquiry from the Applicants' attorney, indicated in the August 23rd telephone discussion with that attorney, that this rejection should encompass claim 2 as well. Hence, the rejection will be so treated.

Inasmuch as claims 1 and 2 have now been canceled and replaced by corresponding new claims 14 and 15, this rejection is moot. However, to expedite prosecution, this rejection will be discussed with respect to these two new claims though principally in the context of new independent claim 14. In that context, this rejection is respectfully traversed.

As to the Anderson application, the Examiner states that "Anderson teaches a prepaid service interface system and method comprising a service account interface (see 21, 22, 23, 24, 25 and 26) and a main account with different means in (see fig. 3) wherein the account can be prepaid or postpaid and can be replenished using a credit card for billing transaction including calls by a billing system".

Upon review, the Anderson application describes a system and method for providing prepaid services and particularly a real-time interface, between a prepaid system and a billing system, through which a user can display

either his(her) prepaid and postpaid telephone services and readily switch between the two. As shown in FIGs. 1 and 2 of the Anderson application, and described in page 1, paragraph 16 et seq of that application, prepaid system 50 is illustratively implemented, typically as a specialized executing program, in a remote computer server connected through network 16 to various client devices, e.g., telephones 11A and 11B, and terminals 17 and 18, in order to provide communication services, on a prepaid basis, to those clients. As shown in FIG. 3, prepaid system 50 can be integrated with billing system 20 through an interface which permits new prepaid and postpaid users to be activated for service as well as existing prepaid users to replenish their prepaid service accounts. See, e.g., page 3, paragraph 29. As defined in page 3, paragraph 30, prepaid services include prepaid telephone services, prepaid wireless services and prepaid calling cards. Billing system 20, to which the Examiner specifically refers (in the context of its constituent elements 21-26), is expressly described in page 4, paragraph 40 as follows:

> "The example billing system 20 is a standard billing system that provides for the accounting of balances via the accounting module 21 and the reporting of those balances utilizing the reporting module 22. A billing module 23 is capable of creating bills to send to customers. The message processing module 25 is utilized in the rating of postpaid calls, by either re-rating them or passing the postpaid calls unrated through the billing system to the other required modules. The message processing module 25 also maintains a call history and prepaid event history in the billing system. The services and tariffs process module 26 provides prepaid and postpaid tariff model administration and stores these models for access by their rated functions. The service and tariff process module 26 may also include processing for mapping and

synchronizing tariff data stored on both the prepaid system 50 and the billing system 20."

Billing system 20 does not rely on using separate service accounts and main accounts, rather this system operates solely on prepaid account data maintained with prepaid account module 52 situated within prepaid system 50. System 20 is not able to and hence does not differentiate among data for specific services. Prepaid account module 52 provides, as stated in page 3, paragraph 33, the "ability to set up, activate and maintain customer data and a mobile number." Call details records are stored within database 54 and accessed via call detail records module 53. Through this stored information, accessed and processed through modules 52 and 53, all users can access their existing and corresponding pre-paid accounts and call histories.

There is absolutely no mention in the Anderson application of providing service-specific information, let alone through storage of classification identifiers for each classified service. Hence, the approach taught by the Anderson application is simply totally unable, by virtue of not being able to discriminate among different service offerings, to permit any user to determine what (s)he expended for a specific communications service and, as needed based on current service usage, transfer an available balance from one service account to another, or to permit a service provider to take specific actions, for a user, for a given service. In essence, this failure arises because the approach taught by the Anderson application simply omits any service accounting system: that system simply does not exist, nor such a system even implicitly mentioned.

The Examiner appeared to recognize that the Anderson application omitted any mention of a service classification by noting in the present action: "Anderson fails to teach a classification system which, according to the applicant, would be allocating a portion of an account specifically to a type of communication service" though it is not clear whether the Examiner truly understood the ramifications of that omission.

Given that recognition, the Examiner turned to the Hannu patent. With respect to that patent, the Examiner noted: "Hannu teaches a method and apparatus for performing a charging limit control (see col. 2, line 65-col. 3, line 15 and col. 6, lines 18-32) wherein one can set a charge limit to be associated with a plurality of services as desired".

A close examination of the Hannu patent reveals that it teaches an approach for performing charging limit control where a user can differentiate between different types of calls, by setting a different charging limit for each different call type, e.g., local calls, long distance calls and premium rates calls, and over a set period of time, e.g., a month. See, col. 2, line 16 and line 42 et seq of this patent, wherein the latter expressly states:

> "Since a charging limit file is provided comprising subscriber-specific charging limit records accessed by record indices, the charging limit control is easily adaptable to different charging limit values of *different call types,* by writing corresponding charging limit values into the charging limit file and storing corresponding record indices in subscriber data files." (emphasis added)

and at col. 2, line 65 et seq:

> "The provision of a plurality of subrecords within each subscriber-specific charging limit record provides the advantage that own charging limits can be allocated to *different call types* and can be accesses [sic] by providing a corresponding index in the subscriber data." (emphasis added)

Here, too, the approach taught by the Hannu patent does not differentiate based on different services, but rather only on different types of calls. Similarly to the failings in the Anderson application, the Hannu patent also fails to disclose or even implicitly mention the use of a service accounting system, let alone a separate service account.

Lastly, the Examiner considers the Nelson patent and notes: "Nelson teaches a prepaid phone service for both wired and wireless telecommunication devices wherein a subscriber account can be allocated to a plurality of services in (see figs. 1-4 and col. 6, line 52-col. 8). Furthermore, the accounts can be managed on a device-by-device basis and can be recharged as such."

The Nelson patent describes a system through which a subscriber can make a single payment for telecommunication services and apply that payment to both wireline and wireless devices. Through this system and as described in col. 3, line 34 et seq, the subscriber has a single prepaid account that is associated with all his(her) communication devices:

> "Thus each individual subscriber has a prepaid account that is associated with both his or her wireless device 14 and the wireline telephone 18."

and through which, as stated in col. 4, line 5 et seq that subscriber can allocate a different amount of time to each such device:

> "...(W)hile a single prepayment account may be provided for a plurality of wireline and wireless phones, a subscriber may be able to allocate various amounts of time for each device."

Again, as is the case with the Hannu patent, the approach taught by the Nelson patent does not differentiate based on different services. Rather than differentiating based on call type as in the Hannu patent, the Nelson patent does so based on device type -- but both patents teach the use of a single prepayment account. Similarly to the failings in both the Anderson application and the Hannu patent, the Nelson patent also fails to disclose or even implicitly mention the use of a service accounting system, let alone a separate service account through which users can discriminate among their different service accounts, to permit any user to determine what (s)he expended for a specific communications service and, as needed based on current service usage, transfer an available balance from one service account to another, or to permit a service provider to take specific actions, for a user, for a given service.

The present invention addresses and overcomes these deficiencies -- which up to that point have remained unresolved. Specifically, the inventive approach provides

accounting differentiated by different services -- rather than, as taught by the art, by different call types or different devices.

In particular, the present inventive approach relies on connecting a service accounting system to a main accounting system. The latter stores "service" accounts which can be differentiated from each other by corresponding classifications, each service carrying a different classification. The main accounting system stores so-called "main" accounts, each of which can be either a pre-paid or post-paid account. By virtue of connecting the main and service accounting systems together, a telecommunications user can not only examine his(her) main account but also transfer an amount in that account to any of his(her) specific service accounts to cover an expected or actual shortfall. In that regard, the user can make a single payment through that person's corresponding main account for all the services to which that person then subscribes, e.g. standard telephony, data transport, internet access, cellular, access to paid content, etc, and then transfer a portion of that payment to the service account for any or all of those subscribed services. Whenever the balance in any of those service accounts reaches a minimum value, the service accounting system can send a "recharge" request to the main accounting system in response to which a predefined amount of money can then be automatically transferred from the user's main account into that particular service account. Alternatively, the user can not only examine any of his service accounts to learn his(her) current usage and corresponding charges, but also can manually recharge that account, to the extent necessary, from his(her) main

account. Alternatively, if an individual service or main account for a given subscriber contains an insufficient balance, a service provider can take appropriate action to disallow some services, based on their classification, for that subscriber while allowing that subscriber to continue using other services. See, page 3, line 27 et seq of the present application.

None of the applied art contains any teachings, whether express or implied, concerning the use of service accounts as a mechanism to permit telecommunications subscribers to differentiate amongst their different subscribed services, let alone by inclusion of a classification in each such account. Moreover, that art does not disclose, whether expressly or by implication, connecting a service accounting system, which maintains and manages such service accounts, to a main accounting system through which a subscriber can access both his(her) own main and individual service accounts and transfer funds there between as necessary.

The teachings in the applied art simply stop well short of the present invention. Consequently, no one of skill in the art, when faced with the problem addressed by the Applicants and the teachings in the applied art, would be led far enough to reach the invention or even to a point from which the present invention can reasonably be inferred from those teachings.

Hence, the Applicants submit that their present invention is not rendered obvious by any of the teachings of the applied art, regardless of whether those teachings are

taken singly or combined, including in the manner posed by the Examiner.

Claim 14 contains suitable recitations directed to the distinguishing aspects of the present invention. In that regard, this claim states as follows, with those recitations being shown in a bolded typeface:

> "**A service accounting system comprising at least one service account associated with a user, the service account having a classification, the service accounting system being connected to a main accounting system comprising a main account associated with the user, a predetermined part of the main account being transferable to the service account, and said part of the main account being predetermined through use of the classification.**" (emphasis added)

Independent method claim 26 contains parallel recitations to those appearing in claim 14.

Consequently, the Applicants submit that their independent claims 14 and 26 are not rendered obvious by the applied art. Hence, both claims are patentable under the provisions of 35 USC § 103.

Each of the Applicant's dependent claims, including claim 15, depends from independent claim 14 and recites additional distinguishing limitations. Accordingly, the Applicants submit that each of these dependent claims is also patentable under the provisions of 35 USC § 103 for the same exact reasons set forth above.

B. Claims 3-6

The Examiner has rejected dependent claims 3-6 as being obvious based on the teachings of the Anderson application taken in view of the Hannu or Nelson patents and further in view of the Walker patent (United States patent 5,825,863 issued to J. S. Walker on Oct. 20, 1998). Inasmuch as all these claims have now been canceled, this rejection is also moot. However, since these claims have been replaced by corresponding new claims 16-19, this rejection will be discussed with respect to those new claims. In that context, this rejection is respectfully traversed.

The Walker patent merely describes a system for authorizing and billing telephone calls made in connection with a pre-paid calling card, where a cardholder prepays for a specified period of calling time for calls to be made to a specified telephone number specified by the cardholder.

Since the Walker patent has absolutely no disclosure concerning differing service offerings, and specifically, a service accounting system for use with those offerings, this patent provides no teachings that are relevant to the problem with the present Applicants faced, let alone to their inventive solution.

Hence, the present invention, as recited in claim 14, is not rendered obvious and hence is patentable over the teachings in the applied art for the same reasons it is patentable, as discussed above, over the Anderson application and the Hannu and Nelson patents.

Moreover, each of dependent claims 16-19 depends, either directly or indirectly, from claim 14 and recites further distinguishing characteristics of the present invention. Consequently, each of these dependent claims is patentable under 35 USC § 103 for the same exact reasons given above with respect to claim 14.

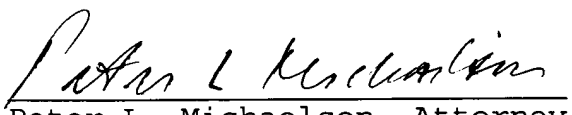
Conclusion

Thus, the Applicants submits that none of the claims, presently in the application, is obvious under the provisions of 35 USC § 103.

Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

Respectfully submitted,

September 1, 2005



Peter L. Michaelson, Attorney
Reg. No. 30,090
Customer No. 007265
(732) 530-6671

MICHAELSON & ASSOCIATES
Counselors at Law
Parkway 109 Office Center
328 Newman Springs Road
P.O. Box 8489
Red Bank, New Jersey 07701

CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on **September 2, 2005** with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Peter C. McGuckin — 30,090

Signature — Reg. No.

(PTT184AMEND/ca:156)